

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR 18-14-GF-BMM
)	
STANLEY PATRICK WEBER,)	
)	
Defendant.)	

**UNOPPOSED MOTION TO
TRANSFER TO SOUTH DAKOTA FOR TRIAL**

COMES NOW the Defendant, Stanley Patrick Weber, by and through his undersigned counsel, moves this court, pursuant to Federal Rule of Criminal Procedure 21(b), for an unopposed order transferring the trial in this case to the federal district in South Dakota.

AS GROUNDS THEREFOR, the Defendant states as follows:

1. This is an action wherein Defendant Stanley Patrick Weber (“Weber”) is charged with violations of §18 USC et al concerning the alleged sexual abuse of minors. Weber has pleaded not guilty, and case is scheduled for a trial beginning August 6, 2018.
2. In addition to this case, Weber is under indictment for similar charges in federal court in South Dakota. As reflected by testimony delivered at the omnibus motions’ hearing, the information that precipitated the present case derives from the investigation in South Dakota. That’s where Weber was initially contacted by law

enforcement, where he was first indicted, and where the most severe criminal conduct is alleged to have occurred.

3. In fact, while two victims have been identified in this case, three were initially the subject of the indictment in South Dakota; recently produced discovery reflects that a superseding indictment, adding an additional South Dakota, is forthcoming. As addressed with this court at the recently concluded omnibus motions hearing, the precepts of Federal Rule of Evidence 413 and 414 likely mean that all these witnesses will be prepared to testify at Defendant's trial, whether they are identified as victims or as corroborating witnesses. This is corroborated by recent motions by the United States of America to have specific people transferred by writ into this jurisdiction for purposes of delivering testimony.

4. Given that the great weight of the evidence for trial is therefore in South Dakota, Defendant seeks a transfer of this trial to South Dakota, as authorized by Rule 21(b) of the Federal Rules of Criminal Procedure.

“Upon the defendant's motion, the court may transfer the proceeding, or one or more counts, against that defendant to another district for the convenience of the parties, any victim, and the witnesses, and in the interest of justice.”
Id.

5. Defendant's counsel has conferred with Assistant United States Attorney Jeffrey K. Starnes, Esq., representing the United States of America in this case, in addition to Assistant United States Attorney Sarah B. Collins, who represents the United States of America in Defendant's South Dakota case. The respective attorneys have agreed that a transfer to South Dakota would lessen the burden on all witnesses and participants of trial, and therefore the United States agrees with the relief requested.

WHEREFORE, the Defendant prays for the relief requested, and for such other and further relief as to the Court sees just and proper in the premises.

Dated this 23rd day of July, 2018.

Respectfully submitted,

/s/ Ryan T. Cox
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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of July, 2018, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties entered in the case.

/s/ Ryan T. Cox
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